

anniversary of the Independence of Texas.

WM. B. TRAVIS CHAPTER, DAUGHTERS OF THE REPUBLIC.

On motion of Senator Burns, the above invitation was accepted.

Senate Concurrent Resolution No. 12:

By Senator Miller:

Be it resolved by the Senate of the State of Texas, the House of Representatives concurring, that at the request of the "Colonial Dames," the wild "lupin" or "blue bonnet" be adopted as the State flower of the State of Texas.

Adopted.

Senator Ross entered a notice to reconsider the vote by which the resolution was adopted.

Senator Turney moved to suspend the regular order of business to take up, on second reading,

Senate bill No. 71, A bill to be entitled "An Act to amend Article 1011, of the Revised Statutes of Texas, relating to compensation for clerks of the several courts of civil appeals, fixing their fees and charges, providing for reports and fixing penalties for failure to make same."

Pending action, on motion of Senator Goss, the Senate adjourned to 10 a. m. tomorrow.

THIRTY-SEVENTH DAY.

Senate Chamber,
Austin, Texas, Thursday, March 2, 1899.

Senate met pursuant to adjournment.
President Pro Tem. Stafford in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Miller.
Burns.	Morriss.
Davidson.	Neal.
Dibrell.	Odell.
Goss.	Potter.
Gough.	Ross.
Greer.	Sebastian.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Terrell.
Kerr.	Turney.
Linn.	Wayland.
Lloyd.	Yantis.
McGee.	Yett.

Absent.

Lewis.

Absent—Excused.

Johnson.

Patterson.

Prayer by the Chaplain, Rev. Dr. Denison.

Pending the reading of the Journal of yesterday,

On motion of Senator Kerr, the same was dispensed with.

EXCUSED.

On motion of Senator Turney, Senator Lewis was excused for today on account of important business.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, March 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Internal Improvements, to whom was referred

House bill No. 571, being a bill to be entitled "An Act to authorize the Gulf, Beaumont & Kansas City Railway Co. to purchase, own and operate the railroad, including all the property, property rights and franchises and appurtenances of the Gulf, Beaumont & Great Northern Railway Co., now existing or that may hereafter be built or acquired by the Gulf & Great Northern Railway Co., and to authorize and empower the Gulf, Beaumont & Great Northern Railway Co. to issue bonds secured by a mortgage upon the railway, property, rights and franchises of the Gulf, Beaumont & Great Northern Railway Co., as said value may hereafter be ascertained and fixed by the Railroad Commission of Texas, and to regulate the reports of such properties and the operation thereof, and to enable said corporation, the Gulf, Beaumont & Great Northern Railway Co. to build, construct and equip its proposed line or lines of railway as provided in its charter, and for said purpose to raise money therefor,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

GOUGH, Acting Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 212, being a bill to be entitled "An Act to authorize the Houston East & West Texas Railroad Company to lease and operate under lease, the Houston & Shreveport Railroad, extending from the State boundary line at Logansport, Louisiana, thence through the

parishes of De Soto and Caddo into the city of Shreveport, in said State,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

GOUGH, Acting Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 214, being a bill to be entitled "An Act to authorize the lease of any railroads connecting at the State line not exceeding thirty miles in length, by any railroad company so connecting with same,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

GOUGH, Acting Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Public Roads, Bridges and Ferries, to whom was referred

House bill No. 338, being a bill to be entitled "An Act to create a more efficient road system for Robertson county, Texas, and making county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, and providing for the appointment of deputy road commissioners, and defining the powers and duties of such county commissioners, and providing for the appointment of road overseers, and defining their duties, and for the working of county convicts upon the public roads of said county, and providing for officers' fees and rewards for the capture of escaped convicts, and to provide for the manner of training hedges along any public road, and to provide for the summoning of teams for road work, and for an allowance of time of road service,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

ODELL, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Public Roads,

Bridges and Ferries, to whom was referred

House bill No. 77, being a bill to be entitled "An Act to provide for a special road law for Denton county, Texas, to empower the commissioners of said county with special authority to act as road commissioners for said county, with power to purchase teams and tools for said work, to summon any one subject to road duty, also providing for penalty for failure to work, also providing for working upon public roads those who have not paid poll tax, with penalty for failure to work, also providing for amount that may be paid by each taxpayer in lieu of work, also compensation for commissioners when employed in this duty,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

ODELL, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Public Roads, Bridges and Ferries, to whom was referred

House bill No. 173, being a bill to be entitled "An Act to create a more efficient road system for Parker county, Texas, and making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, and providing for the appointment of road overseers and defining their duties, and for the working of county convicts upon the roads of said county, and providing for officers' fees and rewards for the capture of escaped convicts, and authorizing the working of county convicts partly upon the county convict farm, as well as upon the public roads, or partly upon both, in the discretion of the commissioners court, and making provisions of act applicable, as far as practicable, to convicts when worked on county farms, and to provide for the summoning of teams for road work, and for an allowance of time of road service for same and fixing a penalty for a violation of this act, and to repeal all laws in conflict with this act as to Parker county, and to authorize the commissioners court of Parker county to create the office of Superintendent of Public Roads and Highways for Parker county, and to provide for the election of said superintendent, and defining his duties, and providing for compensation for said superintendent, when elected, and prescribing bond to be given by

said officer; providing that delinquent poll taxpayers shall be subject to three days road duty; providing for the condemnation of any land needed for the widening, straightening, changing or draining of roads; providing for the taking of timber, gravel, earth, stone or other necessary material for the improvement of roads, and giving persons summoned to work upon roads the right to be relieved from the discharge of such duty on the payment of specific sums of money herein stipulated."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

ODELL, Chairman.

MAJORITY REPORT.

Committee Room,
Austin, Texas, March 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 147, being a bill to be entitled "An Act to compel street railway companies of this State to so arrange their cars that the gripman, motorman or driver shall not be exposed to the weather, and providing a penalty for a failure to do so,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do not pass*.

YANTIS, Chairman.

MINORITY REPORT.

Committee Room,
Austin, Texas, March 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: A minority of Judiciary Committee No. 2, to whom was referred

Senate bill No. 147, being a bill to be entitled "An Act to compel street railway companies of this State to so arrange their cars that the gripman, motorman or driver shall not be exposed to the weather and providing a penalty for a failure to do so,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

MILLER,
GRINNAN.

Committee Room,
Austin, Texas, March 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 162, being a bill to be entitled "An Act defining whitecapping, and defining a penalty therefor,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that the attached committee substitute *do pass*.

YANTIS, Chairman.

Substitute Senate bill No. 162, by Committee.

A bill to be entitled "An Act to define whitecapping, and fixing a punishment therefor."

Be it enacted by the Legislature of the State of Texas:

Section 1. Any person who shall post any anonymous notice or make any threats or signs or skull and cross-bones, or shall by any other method post any character or style of notice or threat to do personal violence or injury to property on or near the premises of another, or who shall cause the same to be sent with the intention of interfering in any way with the right of such person to occupy said premises or to follow any legitimate occupation, calling or profession, or with the intention of causing such person to abandon such premises, or precincts, or county in which such person may reside shall be deemed guilty of felony and upon conviction therefor shall be punished by confinement in the State penitentiary for any period of time not less than two years.

Committee Room,
Austin, Texas, March 2, 1899.

Hon. R. N. Stafford, President pro tem. of the Senate.

SIR: Your Committee on State Affairs, to whom was referred

Senate bill No. 115, being a bill to be entitled "An Act to create the office of State Purchasing Agent, to define his duties and fixing his compensation therefor."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do not pass*, for the reason that the committee directed a favorable report on Senate bill No. 172, being of the same subject matter.

GOUGH, Chairman.

Committee Room,
Austin, Texas, March 2, 1899.

*Hon. R. N. Stafford, President pro tem.
of the Senate.*

SIR: Your Committee on State Affairs, to whom was referred

Senate bill No. 172, being a bill to be entitled "An Act to create the office of State Purchasing Agent for the various eleemosynary institutions of the State of Texas; to define his duties, term of office, mode of qualification and compensation; to abolish the offices or position of steward, quartermaster or other similar position in said institutions; to require all supplies to be purchased by said agent under competitive bids or contracts; to provide for the appointment of storekeepers or accountants in said institutions, and to define the duties thereof; to make an appropriation for the salary of said purchasing agent; to provide for the appointment of two clerks for said agent; to make an appropriation for their salaries, and to repeal all laws in conflict herewith."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass with the following amendments:

"Amend Section 4 by adding thereto the following:

"'Provided, that in advertising for such supplies, the State Purchasing Agent shall advertise for bids to supply the requisitions made by the superintendent and boards of the several institutions, separately, and shall require all bidders to submit samples of the supplies they bid on, said samples to be forwarded to the superintendent of the institution to which it is proposed to furnish supplies, together with a copy of the bid, sealed, and the State Purchasing Agent shall proceed to the institution and on the date named in the advertisement for opening bids on goods, wares and merchandise to be furnished, shall open the sealed bids in the presence of the superintendent or president of the institution and the board of managers, and award the contract to the lowest responsible bidder.'"

"Amend Section 6 by striking out the words 'Comptroller, as well as the Governor and members of the boards of managers if they shall desire to be present,' and insert in lieu thereof 'board of managers and superintendent, and the Governor and Comptroller of Public Accounts if they desire to be present.'"

"Amend Section 6 by adding after the word 'named' where it appears at the end of the second sentence the following: 'and all supplies furnished by contract

as provided herein shall be equal to the sample which is required by Section 4, to accompany the bid. And when the supplies delivered under contract do not come up to the sample, the superintendent shall refuse to accept the same.'"

"Amend Section 7 by adding after the word 'him' where it occurs in the second sentence the following: 'and the sample by which the supplies were sold;' and after the word 'invoice' where it first occurs in Section 7 the following: 'and the sample by which the supplies were sold.'"

GOUGH, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

*Hon. Jas. N. Browning, President of the
Senate.*

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 155, being a bill to be entitled "An Act authorizing the Governor to have underpinned, repaired and anchored the administration and ward buildings of the Southwestern Insane Asylum, and making an appropriation therefor,"

And find the same correctly enrolled, and have this day, at 4:10 p. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

Committee Room,
Austin, Texas, March 2, 1899.

*Hon. Jas. N. Browning, President of the
Senate.*

SIR: Your Committee on Towns and City Corporations, to whom was referred

Senate bill No. 182, being a bill to be entitled "An Act to require the city councils or boards of aldermen in each village, town or city in this State that may hereafter be granted a special charter by act of the Legislature to submit such special charter to the qualified voters of such village, town or city for their approval or rejection at an election to be held for that purpose, and providing that such special charter shall be ratified at such election by a majority of the qualified voters participating or voting at such election before the charter can go into effect,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

Favorable floor report by Miller, Ross, Atlee, James, Greer.

MILLER, Chairman.

Committee Room,
Austin, Texas, March 2, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 180, being a bill to be entitled "An Act to create a more efficient system for Wharton county and Lavaca county, in the State of Texas, and making county commissioners of said counties ex-officio road commissioners and prescribing their duties as such, and providing for their compensation as road commissioners, defining their powers and duties as such; and providing for the appoint of road overseers and their duties; and for the working of county convicts on the public roads of such counties; and providing for the payment of officers, fees, and rewards and penalties for said convicts; and to provide for the summoning of teams for road work, and for an allowance for time of road service for the same; and fixing penalties for the violation of this act,"

And find the same correctly engrossed.
JAMES, Chairman.

Committee Room,
Austin, Texas, Feb. 27, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 126, being a bill to be entitled "An Act to amend Sections 2, 10 and 13, of Chapter 103, of the General Laws of the State of Texas passed at the Regular Session of the Twenty-fifth Legislature, providing for the collection of taxes heretofore and that may be hereafter levied, etc.,"

And find the same correctly engrossed.
JAMES, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills, have carefully examined and compared

Senate bill No. 57, being a bill to be entitled "An Act to amend Article 200, of Chapter 2, Title VII, of the Penal Code of the State of Texas, adopted at the regular session of the Twenty-fourth Legislature, 1895, excepting certain persons from the operation of Article 199,"

And find the same correctly engrossed.
JAMES, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 60, being a bill to be entitled "An Act to amend Article 1188, of Chapter 2, Title XXX, of the Revised Civil Statutes of the State of Texas (1895), relating to amendments of pleadings,"

And find the same correctly engrossed.
JAMES, Chairman.

Committee Room,
Austin, Texas, February 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Substitute Senate bill No. 30, being a bill to be entitled "An Act to define libel and privileged communications and publications and to more effectually secure the liberty of the press and to prevent abuses in exercising such liberty of the press,"

And find the same correctly engrossed.
JAMES, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 190, being a bill to be entitled "An Act granting permission to M. T. and M. C. Chapman or their assigns to sue the State of Texas in the District Court of Dallas county, Texas, to ascertain the amount, if anything, the State is due them for sinking an artesian well at the North Texas Asylum for the Insane,"

And find the same correctly engrossed.
JAMES, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 175, being a bill to be entitled "An Act to amend Section 1, of 'An Act to regulate and limit the expenditure of State, county and local public school funds, and regulate treasurer's re-

ports thereof,' approved June 23, 1897,"

And find the same correctly engrossed.

JAMES, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 144, being a bill to be entitled "An Act to authorize the Texas & New Orleans Railroad Company to own and operate, or to amend its charter or articles of incorporation so as to authorize it to own and operate, a railroad connection between the railroad known as the Sabine & East Texas Railway and the railroad known as the Texas Trunk Railroad, and to construct such railroad as may be requisite for the purpose of making such railroad connection; to confirm the purchase by the Texas & New Orleans Railroad Company of said railroad known as the Sabine & East Texas Railway, its franchises and appurtenances, and to authorize said railroad company to own and operate the same; to authorize said Texas & New Orleans Railroad Company to purchase, own and operate the railroad known as the Texas Trunk Railroad, with its franchises and appurtenances, and the railroad known as the Louisiana Western Extension Railroad, with its franchises and appurtenances; to authorize the owners of each of said railroads to sell the same with its franchises and appurtenances to the said Texas & New Orleans Railroad Company, and to prescribe the conditions upon which such sales shall be valid; to authorize the Texas & New Orleans Railroad Company to issue additional mortgage bonds to the amount of the value, as the same is or may be fixed by the Railroad Commission of Texas, of such of said railroads and their respective franchises and appurtenances as may have been so purchased by it, and to the amount of the value, as the same may be so fixed, of the railroad to be constructed as aforesaid connecting the Sabine & East Texas Railway with the Texas Trunk Railroad; and to regulate the reports of such properties and the operation thereof,"

And find the same correctly engrossed.

JAMES, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed

Bills have carefully examined and compared

Senate bill No. 186, being a bill to be entitled "An Act to amend Article 3910, of the Revised Civil Statutes of Texas of 1895, relating to the closing of schools on legal holidays,"

And find the same correctly engrossed.

JAMES, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 102, being a bill to be entitled "An Act to amend Title XLVII, of the Revised Civil Statutes of 1895, relating to the fiscal year, repuiring the fiscal year to terminate on the 30th of June each year, and requiring the appropriations for the support of the State government shall conform thereto, and to amend and conform other articles of the statute to said date,"

And find the same correctly engrossed.

JAMES, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

Senate bill No. 213, being a bill to be entitled "An Act to appropriate the sum of two thousand dollars or so much thereof as may be necessary for the payment of the bonds, certificates and other evidence of indebtedness against the Republic of Texas that were valid claims, or might have been upon proper presentation and proof valid claims against the United States government under the Act of Congress approved February 28, 1855, and an Act of the Legislature of the State of Texas approved February 1, 1856, and to provide for the proof and verification of the same,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

DIBRELL, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

House bill No. 249, being a bill to be entitled "An Act to amend Article 1012,

Title XXVII, Chapter 14, Revised Statutes of 1895, relating to the employment of stenographers by the courts of civil appeals,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*, with the following amendment:

"Amend by striking out the words, 'and provided that nothing in this act shall be so construed as to discriminate between the sexes in the matter of wages,'"

DIBRELL, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

Resolution to create the office of State Auditor.

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

DIBRELL, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Educational Affairs, to whom was referred

House bill No. 107, being a bill to be entitled "An Act to amend Article 3909, Title LXXXVI, Chapter 7, of the Revised Civil Statutes of the State of Texas, 1895, relating to the course of study taught in the public schools of Texas, so as hereafter to read as follows,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

GOSS, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 129, being a bill to be entitled "An Act to amend Articles 3862, 3863 and 3866, of Title LXXXVI, Chapter 3, of the Revised Statutes of the State of Texas, 1895, relating to the number, appointment and compensation of the directors of the Agricultural and Mechanical College,"

Have had the same under consideration, and I am instructed to report the

same back to the Senate with the recommendation that it *do pass*.

GOSS, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Educational Affairs, to whom was referred

House bill No. 196, being a bill to be entitled "An Act to amend Article 3953, Chapter 11, Title LXXXVI, of Revised Civil Statutes of Texas, and to repeal all laws or parts of laws in conflict therewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

GOSS, Chairman.

Committee Room,
Austin, Texas, March 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 128, being a bill to be entitled "An Act to repeal Article 2921, of Chapter 6, Title LII, of the Revised Civil Statutes of the State of Texas, 1895, making the Commissioner of Agriculture, Insurance, Statistics and History ex-officio a member of the Board of Directors of the A. and M. College,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

GOSS, Chairman.

HOUSE MESSAGE.

The following message from the House was received:

Hall of the House of Representatives,
Austin, Texas, March 2, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bills:

Senate bill No. 156, A bill to be entitled "An Act to authorize railroad companies of this State to accept and exercise the right and privileges conferred upon them by acts of Congress granting them the right of way for their roads in and through the Indian Territory, without limiting the authority of the laws of Texas over as much of said railroad as may be within the State of Texas."

Also Senate bill No. 67, A bill to be entitled "An Act to amend Article 5058,

Revised Civil Statutes of 1895, of the State of Texas as passed in 1891, relating to the duties of revenue agents," with amendment.

Also Senate bill No. 34, A bill to be entitled "An Act to require city and county treasurers to report condition of interest and sinking fund to the State Comptroller; to prohibit them from diverting said funds, and providing penalties," with amendment.

Also Senate bill No. 154, A bill to be entitled "An Act to authorize the Missouri, Kansas & Texas Railway Company of Texas to acquire by purchase or lease, the railroad of the Sherman, Shreveport & Southern Railway Company," with amendment.

Also House bill No. 529, A bill to be entitled "An Act to change and fix the time of holding the terms of the district courts in the Thirteenth Judicial District."

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

IN SENATE.

The above reported House bill No. 529, was read first time, and referred to Committee on Judicial Districts.

Call concluded.

REGULAR ORDER.

The Chair laid before the Senate, on second reading,

Senate bill No. 103, A bill to be entitled "An Act to amend Section 23, of Article 1194, of the Revised Civil Statutes of the State of Texas, regulating the venue of suits against private corporations, associations and joint stock companies, so as to permit suits against carriers to be brought in any county in which the carrier on whose line the freight or baggage originated or was first shipped, has an office or agency, and against whom, with others, damages are claimed, or in any county in which is situated the depot, town or point to which the freight or baggage was consigned or shipped, and to permit two or more carriers to be joined in one suit," action being on engrossment.

Pending action, Senator McGee moved that Senate bill No. 96, a bill on the same subject, to wit:

Senate bill No. 96, A bill to be entitled "An Act to provide for the venue of suits against private corporations and railroad corporations, and providing for the venue of suits in which two or more railroad corporations are defendants," and the bill under consideration (Senate bill No.

103) be recommitted to Judiciary Committee No. 1.

Senator Davidson moved as a substitute that Senate bill No. 96 (above) be recommitted to Judiciary Committee No. 1.

Lost.

Senator McGee's motion to recommit then failed by the following vote:

Yeas—10.

Burns.	Miller.
Hanger.	Neal.
James.	Sebastian.
Lloyd.	Terrell.
McGee.	Turney.

Nays—16.

Atlee.	Linn.
Davidson.	Odell.
Dibrell.	Potter.
Goss.	Ross.
Gough.	Stafford.
Greer.	Stone.
Grinnan.	Wayland.
Kerr.	Yett.

Absent.

Morriss.	Yantis.
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Absent—Excused.

Lewis.	Patterson.
Johnson.	

Action then being on engrossment, the following amendments were offered:

By Senator Goss:

"Amend by striking out in the caption as follows, to wit: 'Amend Section 23, of Article 1194, of the Revised Civil Statutes of the State of Texas, regulating' and inserting the word 'regulate.'"

Adopted.

By Senator Goss:

"Amend by striking out all of lines 15, 16 and 17, after the word 'that' in line 15, page 1."

Adopted.

By Senator James:

"Amend line 7, page 2, by adding the words 'provided further, that this act herein shall not apply to any causes now pending in court involving the question of venue.'"

By Senator Morriss:

Substitute the amendment as follows: "Amend by adding after 'demanded' in line 7, page 2, 'provided, this act shall not change the venue in any case now pending.'"

Adopted.

The amendment as substituted was adopted.

Bill as amended ordered engrossed.

On motion of Senator Davidson, the constitutional rule requiring bills to be read on three several days was suspended,

and the bill put upon its third reading and final passage by the following vote:

Yeas—26.

Atlee.	Miller.
Davidson.	Morriss.
Dibrell.	Neal.
Goss.	Odell.
Gough.	Potter.
Greer.	Ross.
Grinnan.	Sebastian.
Hanger.	Stafford.
James.	Stone.
Kerr.	Terrell.
Linn.	Turney.
Lloyd.	Wayland.
McGee.	Yantis.

Nays—1.

Burns.

Absent.

Yett.

Absent—Excused.

Johnson.	Patterson.
Lewis.	

The bill was read a third time, and passed by the following vote:

Yeas—27.

Atlee.	Morriss.
Davidson.	Neal.
Dibrell.	Odell.
Goss.	Potter.
Gough.	Ross.
Greer.	Sebastian.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Terrell.
Kerr.	Turney.
Linn.	Wayland.
Lloyd.	Yantis.
McGee.	Yett.
Miller.	

Nays—1.

Burns.

Absent—Excused.

Johnson.	Patterson.
Lewis.	

On motion of Senator Turney the regular order of business was suspended to take up, on second reading,

Senate bill No. 50, A bill to be entitled "An Act to amend Article 4930, of the Revised Statutes of the State of Texas."

Bill read second time.

By Senator Turney:

"Amend caption by adding thereto 'relative to marks and brands of live stock.'" Adopted.

The bill as amended was ordered engrossed.

On motion of Senator Turney, the constitutional rule requiring bills to be read on three several days was suspended, and

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the bill put upon its third reading and final passage by the following vote:

Yeas—26.

Atlee.	Morriss.
Burns.	Neal.
Dibrell.	Odell.
Goss.	Potter.
Gough.	Ross.
Greer.	Sebastian.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Terrell.
Kerr.	Turney.
Linn.	Wayland.
Lloyd.	Yantis.
Miller.	Yett.

Absent.

Davidson.	McGee.
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Absent—Excused.

Johnson.	Patterson.
Lewis.	

The bill was read a third time, and passed by the following vote:

Yeas—24.

Atlee.	Neal.
Burns.	Odell.
Dibrell.	Potter.
Goss.	Ross.
Gough.	Sebastian.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Terrell.
Kerr.	Turney.
Lloyd.	Wayland.
Miller.	Yantis.
Morriss.	Yett.

Absent.

Davidson.	Linn.
Greer.	McGee.

Absent—Excused.

Johnson.	Patterson.
Lewis.	

SPECIAL ORDER.

The Chair laid before the Senate, special order, Senate bill No. 96 (see caption above).

On motion of Senator Burns the bill was laid on the table subject to call.

Senator Yett moved to reconsider the vote by which the Senate on yesterday ordered

Senate bill No. 77, A bill to be entitled "An Act to regulate the sale of cocaine, opium and other poisons," engrossed.

Reconsidered.

Pending action on engrossment,

By Senator Linn:

"Amend by adding on page 2, line 3, the following:

"Section 3. The crowded condition

of the calendar and the fact that there are thousands of pitiable objects who are daily becoming hopeless victims to the effects of the drugs specified, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

Adopted.

The bill as amended was ordered engrossed.

On motion of Senator Yett, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—25.

Atlee.	Morriss.
Burns.	Neal.
Dibrell.	Odell.
Goss.	Potter.
Gough.	Ross.
Greer.	Sebastian.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Terrell.
Kerr.	Turney.
Linn.	Wayland.
Lloyd.	Yett.
Miller.	

Absent.

Davidson.	Yantis.
McGee.	

Absent—Excused.

Johnson.	Patterson.
Lewis.	

The bill was read a third time, and passed by the following vote:

Yeas—25.

Atlee.	Morriss.
Burns.	Neal.
Dibrell.	Odell.
Goss.	Potter.
Gough.	Ross.
Greer.	Sebastian.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Terrell.
Kerr.	Turney.
Linn.	Wayland.
Lloyd.	Yett.
Miller.	

Absent.

Davidson.	Yantis.
McGee.	

Absent—Excused.

Johnson.	Patterson.
Lewis.	

On motion of Senator Potter, the regular order of business was suspended to take up, on second reading,

Senate bill No. 145, A bill to be entitled "An Act to provide for the establishment, maintenance and government of a State normal school to be located at Denton, Texas, and to be known as the North Texas Normal School."

Bill read second time.

(Senator Potter in the chair.)

By Senator Terrell:

"Amend the caption of the bill and Sections 1 and 2, by striking out in the caption and in lines 14 and 15, in Section 1, and in lines 30 and 31, Section 2, the words 'North Texas Normal School,' and insert in lieu thereof the words 'North Texas State Normal College.'"

Adopted.

By Senator Terrell:

"Amend by adding to Section 1, the following:

"Provided, that said college building, when tendered and accepted, shall be sufficient to accommodate at least four hundred pupils; and provided further, that if the donation and proposition mentioned herein is not fully complied with by the city of Denton to the satisfaction of the Governor, Comptroller and Superintendent of Public Instruction, then the location of said normal college shall be open to such other place as the Governor, Comptroller and Superintendent of Public Instruction may deem most satisfactory and advantageous to the State.'"

Adopted.

Pending action on the engrossment of the bill as amended,

Senator Miller moved that further consideration of the bill be postponed till Monday next after call.

Carried by the following vote:

Yeas—15.

Burns.	Miller.
Davidson.	Odell.
Dibrell.	Ross.
Grinnan.	Sebastian.
Hanger.	Stafford.
Linn.	Turney.
Lloyd.	

Nays—10.

Atlee.	Morriss.
Goss.	Potter.
Gough.	Stone.
Greer.	Terrell.
James.	Yett.

Absent.

Kerr.	Wayland.
McGee.	Yantis.

Absent—Excused.

Johnson.	Patterson.
Lewis.	

PAIRED.

Senator Neal, present, who would vote "aye" with Senator McGee, absent, would vote "nay."

On motion of Senator Atlee, the regular order of business was suspended to take up, on second reading,

Senate bill No. 135, A bill to be entitled "An Act to amend Section one (1), Chapter one hundred and thirty-five (135), of the Act of 1897, Regular Session of the Twenty-fifth Legislature, relating to the regulation of fire, fire and marine, and marine insurance companies, and adding the emergency clause," action being on the committee substitute, the caption of which is, to wit:

Substitute Senate bill No. 135, by Committee.

A bill to be entitled "An Act amending Chapter 135, of the Acts of the Twenty-fifth Legislature, Regular Session of 1897, relating to the regulation of fire and marine insurance, and making it unlawful for any fire or fire and marine, boiler or marine insurance, which is legally licensed to transact the business of fire, marine and boiler insurance in this State, to place or cause to be placed, to write or cause to be written, any contract or policy of insurance against loss by fire, explosion or the perils of the sea on any property in this State, except through legally authorized and licensed agents, resident in the State, and prescribing penalties for a violation of same, and to further prescribe conditions to be complied with by any fire, fire and marine, boiler or marine insurance company before it shall be licensed or relicensed by the Commissioner to do business in this State."

Bill read second time, with committee substitute (above), and committee substitute adopted.

Pending action on engrossment, the following amendments were offered:

By Senator Atlee:

"Add after the word 'Texas,' line 17, the following:

"Section 1. That Section 1, of Chapter 135, of the above recited acts of the Twenty-fifth Legislature, in Regular Session, be amended so as hereafter to read as follows.'"

Adopted.

By Senator Atlee:

"Amend Section 1, on page 3, as follows: In line 18, strike out words 'or boiler;' in line 21, strike out word 'boiler;' in line 24, strike out words 'and be it further;' in line 26, strike out words 'or boiler,' and in line 29, strike out word 'however,' and insert in lieu thereof the word 'further.'"

Adopted.

By Senator Atlee:

On page 4, strike out all of Sections 2, 3 and 4."

Adopted.

By Senator Atlee:

"Amend caption as follows: In line 7, strike out word 'boiler;' in line 8, insert 'or' after word 'five;' in lines 8 and 9, strike out words 'and boiler;' in lines 10 and 11, strike out word 'explosion;' in line 14, strike out word 'boiler;' and in line 5, insert after the word 'amending,' the words 'Section 1 of.'"

By Senator Dibrell:

Adopted.

"Amend Section 1, page 3, by striking out in line 24 all after the word 'Texas' down to and including the word 'town,' in line 29."

Lost by the following vote:

Yeas—12.

Davidson	Morriss.
Dibrell.	Odell.
Goss.	Potter.
Grinnan.	Sebastian.
James.	Stafford.
Linn.	Terrell.

Nays—13.

Atlee.	Neal.
Burns.	Ross.
Gough.	Stone.
Greer.	Turney.
Hanger.	Wayland.
Lloyd.	Yett.
Miller.	

Absent.

Kerr.	Yantis.
McGee.	

Absent—Excused.

Johnson.	Patterson.
Lewis.	

By Senator Grinnan:

"Amend line 28, page 3, by adding after the word 'company' the following, 'in any adjoining county.'"

Adopted.

(President pro tem Stafford in the Chair.)

By Senator Linn:

"Amend by striking out all after the word 'Texas,' in line 24, page 3, down to and including the word 'town,' in line 29, and insert in lieu thereof the following:

"And be it further provided, that this act shall not prohibit a licensed local agent writing a policy of insurance on property situated outside of the county in which he resides, provided there are no insurance companies represented by local agents in such county.'"

By Senator Odell:

Substitute the amendment as follows:
"Substitute for amendment by adding after the words 'in this State,' in line 25, page 3, the following, 'where local agencies writing a like character of such insurance are not maintained.'"

The amendment as substituted was adopted.

Adopted.

By Senator Grinnan:

"Amend line 25, page 3, by inserting after the word 'any,' last occurring, the following word, 'other,' and amend line 26 by adding after the word 'company' the following, 'has a local agent.'"

Adopted.

The bill as amended was then ordered engrossed.

On motion of Senator Atlee, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—23.

Atlee.	Morriss.
Burns.	Neal.
Dibrell.	Odell.
Goss.	Potter.
Gough.	Ross.
Greer.	Sebastian.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Terrell.
Linn.	Turney.
Lloyd.	Wayland.
Miller.	

Nays—1.

Davidson.

Absent.

Kerr.	Yantis.
McGee.	

Absent—Excused.

Johnson.	Patterson.
Lewis.	

The bill was read a third time, and passed by the following vote:

Yeas—22.

Atlee.	Morriss.
Burns.	Neal.
Goss.	Odell.
Gough.	Potter.
Greer.	Ross.
Grinnan.	Sebastian.
Hanger.	Stafford.
James.	Stone.
Linn.	Terrell.
Lloyd.	Turney.
Miller.	Wayland.

Nays—1.

Davidson.

Absent.

Kerr.	Yantis.
McGee.	Yett.
	Absent—Excused.
Johnson.	Patterson.
Lewis.	

BILL SIGNED.

The Chair gave notice of signing and did sign, after its caption had been read,

Senate bill No. 156, A bill to be entitled "An Act to authorize railroad companies of this State to accept and exercise the rights and privileges conferred upon them by acts of Congress granting them the right of way for their roads in and through the Indian Territory, without limiting the authority of the laws of Texas over so much of such railroad as may be within the State of Texas."

On motion of Senator Hanger, the regular order of business was suspended to take up, on second reading,

Senate bill No. 206, A bill to be entitled "An Act to authorize corporations now or hereafter incorporated under the laws of this State for the purpose of acquiring and operating union passenger depots to condemn land for the purpose of their incorporation."

Bill read second time, and ordered engrossed.

On motion of Senator Hanger, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—24.

Atlee.	Morriss.
Burns.	Neal.
Davidson.	Odell.
Dibrell.	Potter.
Goss.	Ross.
Gough.	Sebastian.
Greer.	Stafford.
Grinnan.	Stone.
Hanger.	Terrell.
James.	Turney.
Linn.	Wayland.
Miller.	Yett.

Present—Not voting.

Lloyd.

Absent.

Kerr.	Yantis.
McGee.	
	Absent—Excused.
Johnson.	Patterson.
Lewis.	

The bill was read a third time, and passed by the following vote:

Yeas—24.

Atlee.	Davidson.
Burns.	Dibrell.

Goss.	Odell.
Gough.	Potter.
Greer.	Ross.
Grinnan.	Sebastian.
Hanger.	Stafford.
James.	Stone.
Linn.	Terrell.
Miller.	Turney.
Morriss.	Wayland.
Neal.	Yett.

Present—Not voting.

Lloyd.

Absent.

Kerr.	Yantis.
McGee.	

Absent—Excused.

Johnson.	Patterson.
Lewis.	

Senator Hanger moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

On motion of Senator Dibrell, the regular order of business was suspended to take up, on third reading,

Substitute Senate bill No. 30, A bill to be entitled "An Act to define libel and privileged communications and publications, and to more effectually secure the liberty of the press, and to prevent abuses in exercising such liberty of the press."

The bill was read third time, and passed by the following vote:

Yeas—20.

Atlee.	Odell.
Burns.	Potter.
Dibrell.	Ross.
Goss.	Sebastian.
Greer.	Stafford.
Hanger.	Stone.
James.	Terrell.
Linn.	Turney.
Morriss.	Wayland.
Neal.	Yett.

Nays—5.

Davidson.	Lloyd.
Gough.	Miller.
Grinnan.	

Absent.

Kerr.	Yantis.
McGee.	

Absent—Excused.

Johnson.	Patterson.
Lewis.	

Senator Dibrell moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

On motion of Senator Goss, the regular order of business was suspended to take up, on third reading,

Senate bill No. 175, A bill to be entitled "An Act to amend Section 1, of an act to regulate and limit the expenditure of State, county and local public school funds, and regulate treasurer's reports thereof, approved June 23, 1897."

Bill read third time.

By Senator Miller:

"Amend Section 1 as follows: By substituting for Section 1 the following:

"Section 1. The State and county available school fund shall be used exclusively for the payment of teachers' and superintendents' salaries, fees for taking the scholastic census and commissions to the county treasurer of one per cent. on all moneys received and one per cent. of all moneys paid out by him, said commissions not to be considered as part of commissions referred to in Article 2469, Revised Civil Statutes of Texas; provided, that the total of said commissions shall in no case exceed (\$500) five hundred dollars, and provided further, he shall receive no commission for moneys received of his predecessor nor for any money turned over by him to his successor."

Lost by the following vote (the rules requiring a two-third vote to amend a bill on third reading):

Yeas—14.

Atlee.	Morriss.
Burns.	Neal.
Dibrell.	Ross.
Gough.	Sebastian.
Greer.	Stone.
Hanger.	Terrell.
Miller.	Wayland.

Nays—8.

Davidson.	Linn.
Goss.	Lloyd.
Grinnan.	Potter.
James.	Yett.

Present—Not voting.

Stafford.

Absent.

Kerr.	Turney.
McGee.	Yantis.
Odell.	

Absent—Excused.

Johnson.	Patterson.
Lewis.	

The bill was then passed by the following vote:

Yeas—21.

Atlee.	Hanger.
Davidson.	James.
Dibrell.	Linn.
Goss.	Miller.
Gough.	Morriss.
Greer.	Neal.

Potter.	Terrell.
Ross.	Turney.
Sebastian.	Wayland.
Stafford.	Yett.
Stone.	

Nays—2.

Grinnan.	Lloyd.
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Present—Not voting.

Burns.

Absent.

Kerr.	Odell.
McGee.	Yantis.

Absent—Excused.

Johnson.	Patterson.
Lewis.	

Senator Goss moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

Senator Potter called up

Senate bill No. 67, A bill to be entitled "An Act to amend Article 5058, of the Revised Civil Statutes of 1895 of the State of Texas, as passed in 1891, relating to the duties of revenue agents," which had passed the House with an amendment (emergency clause), and moved that the Senate concur in said amendment.

Concurred.

Senator Linn entered a motion to reconsider the vote by which Senate bill No. 135 (see caption above) was passed and ordered engrossed.

Senator Odell entered a motion to reconsider the vote by which his amendment, substitute for the amendment, offered by Senator Linn to Senate bill No. 135 (see above), was adopted.

Senator Wayland called up his resolution offered on February 14, 1899, to wit:

By Senator Wayland:

Whereas, It is a matter of general concern that a wise and prudent system should prevail in the expenditure of the money taken from the people by taxation for the common benefit; and

Whereas, The financial transactions of the State have grown to such magnitude and importance that the public interests demand that the management of this branch of the public service should have the most critical attention to the end that all reasonable and proper checks and safeguards may be provided in the disbursement of the public funds, and

Whereas, It appears that under existing methods the Comptroller of Public Accounts both determines the amounts due on accounts against the State, and

directs payment from the treasury of such amounts as may be approved by him, without the concurrence of any other officer; and that there is no provision of law for the examination of the vouchers upon which his warrants on the treasurer are drawn, thus practically placing the public funds within the control of one officer of the government, without any investigation of his official transaction; and

Whereas, The methods used more than fifty years ago are not adapted to the present immense volume of the State's financial transactions, and the responsibilities imposed on the Comptroller are now, by reason of the growth of the State, more than any man can discharge with that personal attention to details that should be given to matters of such great importance; therefore be it

Resolved, That the Governor, Comptroller of Public Accounts, and Revenue Agent of the State be requested to inquire into the present system of disbursing the revenues, and to report to the Senate at the next session of the Legislature as to the necessity for the creation of the office of auditor, whose duty it shall be to determine the amounts due on claims against the State, and to certify the same to the Comptroller for his approval and settlement by warrant on the treasury.

The resolution was read and adopted.

On motion of Senator Grinnan, the regular order of business was suspended to take up, on third reading,

Senate bill No. 126, A bill to be entitled "An Act to amend Sections 2, 10 and 13, of Chapter 103, of the General Laws of the State of Texas, passed at the Regular Session of the Twenty-fifth Legislature, providing for the collection of taxes heretofore and that may hereafter be levied, making such taxes a lien upon the lands taxed, establishing and continuing such liens, providing for the sale and conveyance of lands delinquent for taxes since January 1, 1885, which may have been returned delinquent or reported sold to the State, or to any county, city or town, for the tax due thereon and not redeemed, or which may hereafter be returned delinquent, or reported sold to the State, or to any county, city or town to satisfy the lien thereon, as enacted by the Regular Session of the Twenty-fourth Legislature, being Chapter 5a, of Title CIV, of the Revised Civil Statutes of 1895, relating to delinquent taxes, and to repeal all laws in conflict with this act."

The bill was read a third time, and pending action on final passage,

On motion of Senator Burns, the Senate adjourned to 10 a. m. tomorrow.